

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 17-0894.01 Michael Dohr x4347

HOUSE BILL 17-1326

HOUSE SPONSORSHIP

Lee, Exum, Melton

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Gardner and Kagan, Merrifield, Priola

House Committees

Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CREATION OF THE JUSTICE REINVESTMENT CRIME**
102 **PREVENTION INITIATIVE, AND, IN CONNECTION THEREWITH,**
103 **FUNDING THE INITIATIVE THROUGH SAVINGS CREATED BY**
104 **PAROLE REFORMS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill changes the length of time that a parolee may serve for a technical parole violation. If the parolee is on parole for a class 2 felony; level 1 drug felony; a crime of violence, stalking, menacing, or unlawful

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

sexual behavior; or a crime against an at-risk adult or is a sexually violent predator, the length of revocation is up to the remainder of the parolee's parole period. If the parolee is on parole for a level 2 drug felony or a class 3 nonviolent felony, the length of revocation is up to 90 days. If the parolee is on parole for a level 3 or level 4 drug felony or a class 4, class 5, or class 6 nonviolent felony, the length of revocation is up to 30 days.

The bill requires the division of adult parole to conduct a parole plan investigation prior to the parole release hearing and to inform the parole board (board) of the results of the investigation. If the board finds an inmate's parole plan inadequate, the board can table the release decision and order the department to submit a revised parole plan developed in conjunction with the inmate within 30 days of the board's order.

The bill allows the board to conduct a parole release review instead of a hearing without the presence of the inmate if the inmate is assessed "low" or "very low" on the risk assessment instrument and victim notification is not required.

The bill creates the justice reinvestment crime prevention initiative in the division of local government in the department of local affairs (division). The division shall develop the initiative to expand small business lending in the target communities of Aurora and Colorado Springs. The division will issue a request for participation from one or more nondepository community development financial institution loan funds to participate in the small business lending program. The division shall enter into a contract with the selected funds to define the operating terms of the loan program. The loans are limited to 5 years and \$50,000.

The division shall also develop the initiative to implement a grant program for programs, projects, or direct services aimed at reducing crime in the target communities. The division shall issue a request for participation to select a community foundation or foundations to manage the grant program. The division shall sign an agreement with the selected foundation or foundations that defines the role and responsibility of the foundation in managing the grant program. The grant program may fund:

- ! Academic improvement programs;
- ! Community-based services;
- ! Community engagement programs;
- ! Increasing safety and usability of common outdoor-spaces programs;
- ! Technical assistance related to data collection, data analysis, and evaluation; and
- ! Administrative costs of the foundation.

Only a nonprofit organization in good standing and registered with the internal revenue service and the Colorado secretary of state, a school, a unit of local government, or a private contractor hired to provide technical assistance are eligible to receive grants.

The bill requires the division to present a status report to the joint judiciary committee regarding the initiative.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) On any given day, there are over 100,000 Coloradans either
5 incarcerated or otherwise under some form of criminal justice supervision
6 at a cost of well over one billion dollars to the state budget annually;

7 (b) However, many of the neighborhoods that experience higher
8 crime see little to no reduction in crime overall because public safety
9 strategies largely react to crime after the fact and fail to adequately
10 address the root causes of crime;

11 (c) Law enforcement agencies take their role in helping to
12 promote public safety very seriously, and they care very deeply about the
13 communities they serve. However, it is not the role of law enforcement
14 to address community challenges that impact crime rates such as
15 unemployment, high school dropout rates, homelessness, or people in
16 crisis due to mental illness or addiction.

17 (d) By many metrics, the overuse of the criminal justice system
18 brings its own set of unintended, negative consequences by damaging
19 families, straining police and community relations, undermining the
20 legitimacy of the criminal justice system due to racial disparity,
21 underserving crime victims, and making it harder for people with a
22 criminal record to find employment and housing to support their families;

23 (e) Colorado must develop a new paradigm related to public safety
24 that is a more comprehensive, community-based approach that focuses on
25 crime prevention from a community development perspective. This

1 paradigm combines crime prevention, economic development, mental
2 health and trauma recovery treatment, improving academic achievement,
3 strengthening families, and other targeted direct services into our core
4 public safety strategies. This new paradigm must be based on an
5 understanding that community development strategies are also important
6 public safety strategies.

7 (f) This new public safety paradigm framework is based on
8 several key components. First, it needs to be geographically targeted to
9 focus on neighborhoods that have higher rates of crime. Often attempts
10 at crime prevention have been too dispersed to have the desired impact.
11 Second, people at the local level are best positioned to identify crime
12 prevention and community development priorities. Third, in order to
13 reduce crime rates, multiple strategies must be deployed simultaneously
14 and in a coordinated fashion. Finally, there must be engagement from the
15 public sector and the private sector, including business, philanthropy, and
16 nonprofit organizations.

17 (g) Justice reinvestment is also an important component of this
18 new crime prevention framework. Justice reinvestment is an approach
19 that identifies current ineffective expenditures in criminal justice
20 spending, reforms those laws and practices, and reinvests the savings into
21 other public safety strategies. Justice reinvestment has been utilized in
22 many states across the country, including Colorado.

23 (2) Therefore, the general assembly determines it is in the best
24 interest of the state to implement parole reforms to fund a justice
25 reinvestment crime prevention initiative.

26 **SECTION 2.** In Colorado Revised Statutes, 17-2-103, **amend**
27 (11)(b) as follows:

1 **17-2-103. Arrest of parolee - revocation proceedings.**

2 (11) (b) (I) If the board determines that the parolee has violated parole
3 through commission of a crime, the board may revoke parole and request
4 the sheriff of the county in which the hearing is held to transport the
5 parolee to a place of confinement designated by the executive director
6 FOR UP TO THE REMAINDER OF THE PAROLE PERIOD.

7 ~~(II) If the board determines that the parolee has violated any~~
8 ~~condition of parole other than commission of a crime or the board grants~~
9 ~~the parolee's request to revoke his or her parole, and the parolee is not~~
10 ~~subject to the provisions of subparagraph (I), (III), (III.5), (IV), or (VI) of~~
11 ~~this paragraph (b), the board may:~~ IF THE BOARD DETERMINES THAT THE
12 PAROLEE HAS VIOLATED ANY CONDITION OF PAROLE THAT DOES NOT
13 INVOLVE THE COMMISSION OF A CRIME, AND THE PROVISIONS OF
14 SUBSECTIONS (11)(b)(III) OR (11)(b)(III.5) OF THIS SECTION ARE NOT
15 APPLICABLE, THE BOARD MAY REVOKE PAROLE FOR UP TO THE REMAINDER
16 OF THE PAROLE PERIOD AND ORDER THE PAROLEE CONFINED AT A FACILITY
17 DESIGNATED BY THE EXECUTIVE DIRECTOR.

18 ~~(A) Revoke parole and request the sheriff of the county in which~~
19 ~~the hearing is held to transport the parolee to a place of confinement~~
20 ~~designated by the executive director; or~~

21 ~~(B) Revoke parole for a period not to exceed one hundred eighty~~
22 ~~days and request the sheriff of the county in which the hearing is held to~~
23 ~~transport the parolee to a community corrections program pursuant to~~
24 ~~section 18-1.3-301 (3), C.R.S., a place of confinement within the~~
25 ~~department of corrections, or any private facility that is under contract to~~
26 ~~the department of corrections; or~~

27 ~~(C) Revoke parole for a period not to exceed ninety days and~~

1 request the sheriff of the county in which the hearing is held to transport
2 the parolee to the county jail of such county or to any private facility that
3 is under contract to the department of corrections; or

4 (D) Revoke parole for a period not to exceed one hundred eighty
5 days and request the sheriff of the county in which the hearing is heard to
6 transport the parolee to the facility described in section 17-1-206.5.

7 (II.5) The board may extend a period of parole revocation
8 imposed pursuant to sub-subparagraph (A), (B), (C), or (D) of
9 subparagraph (II) of this paragraph (b) beyond the specified maximum if
10 the parolee violates a condition of the parolee's placement pursuant to the
11 notice and hearing procedures in this section.

12 (III) If the board determines that the parolee has violated any
13 condition of parole that does not involve the commission of a crime, the
14 parolee has no active felony warrant, felony detainer, or pending felony
15 criminal charge, and the parolee was on parole for an offense that was a
16 ~~level~~ LEVEL 3 OR LEVEL 4 drug felony or CLASS 4, class 5, or class 6
17 nonviolent felony as defined in section 17-22.5-405 (5)(b), except for
18 menacing as defined in section 18-3-206, ~~C.R.S.~~, or any unlawful sexual
19 behavior contained in section 16-22-102 (9), ~~C.R.S.~~, or unless the parolee
20 was subject to article 6.5 of title 18, ~~C.R.S.~~, or section 18-6-801, ~~C.R.S.~~,
21 the board may revoke parole for a period not to exceed ~~one hundred~~
22 ~~eighty~~ THIRTY days and request the sheriff of the county in which the
23 hearing is held to transport the parolee to the facility described in section
24 ~~17-1-206.5 (3)~~ AND ORDER THE PAROLEE CONFINED AT A FACILITY
25 DESIGNATED BY THE EXECUTIVE DIRECTOR.

26 (III.5) If the board determines that the parolee has violated any
27 condition of parole that does not involve the commission of a crime, the

1 parolee has no active felony warrant, felony detainer, or pending felony
2 criminal charge, and the parolee was on parole for an offense that was a
3 ~~level 3~~ LEVEL 2 drug felony or a ~~class 4~~ CLASS 3 nonviolent felony as
4 defined in section 17-22.5-405 (5)(b), except for stalking as described in
5 section 18-9-111 (4), ~~C.R.S.~~, as it existed prior to August 11, 2010, or
6 section 18-3-602, ~~C.R.S.~~, or any unlawful sexual behavior described in
7 section 16-22-102 (9), ~~C.R.S.~~, or unless the parolee was subject to article
8 6.5 of title 18, ~~C.R.S.~~, or section 18-6-801, ~~C.R.S.~~, and the board revokes
9 parole, the board may request the sheriff of the county in which the
10 hearing is held to transport the parolee to the facility described in section
11 17-1-206.5 (3) for a period not to exceed one hundred eighty days THE
12 BOARD MAY REVOKE PAROLE FOR UP TO NINETY DAYS AND ORDER THE
13 PAROLEE CONFINED AT A FACILITY DESIGNATED BY THE EXECUTIVE
14 DIRECTOR.

15 (IV) ~~If the board determines that the parolee has violated any~~
16 ~~condition of parole other than commission of a new crime and the parolee~~
17 ~~was not on parole for a crime of violence as defined in section 18-1.3-406~~
18 ~~(2), C.R.S., the board may:~~

19 (A) ~~Revoke parole for a period not to exceed ninety days and~~
20 ~~request the sheriff of the county in which the hearing is held to transport~~
21 ~~the parolee to a place of confinement designated by the executive director~~
22 ~~if, at the time of the revocation hearing, the inmate is assessed as below~~
23 ~~high risk based upon a research-based risk assessment instrument~~
24 ~~approved by the department of corrections and the state board of parole;~~
25 or

26 (B) ~~Revoke parole for a period not to exceed one hundred eighty~~
27 ~~days and request the sheriff of the county in which the hearing is held to~~

1 ~~transport the parolee to a place of confinement designated by the~~
2 ~~executive director if, at the time of the revocation hearing, the inmate is~~
3 ~~assessed as high risk or greater based upon a research-based risk~~
4 ~~assessment instrument approved by the department of corrections and the~~
5 ~~state board of parole; or~~

6 ~~(C) Revoke parole for a period not to exceed one hundred eighty~~
7 ~~days and request the sheriff of the county in which the hearing is held to~~
8 ~~transport the parolee to a community corrections program; or~~

9 ~~(D) Revoke parole for a period not to exceed one hundred eighty~~
10 ~~days and request the sheriff of the county in which the hearing is held to~~
11 ~~transport the parolee to the facility described in section 17-1-206.5.~~

12 ~~(V) The board may extend a period of parole revocation imposed~~
13 ~~pursuant to sub-subparagraph (A), (B), (C), or (D) of subparagraph (IV)~~
14 ~~of this paragraph (b) beyond the specified maximum if the parolee~~
15 ~~violates a condition of the parolee's placement pursuant to the notice and~~
16 ~~hearing procedures in this section.~~

17 ~~(VI) If the board determines that a parolee who has been~~
18 ~~designated as a sexually violent predator pursuant to section 18-3-414.5~~
19 ~~€R.S., or found to be a sexually violent predator or its equivalent in any~~
20 ~~other state or jurisdiction, including but not limited to a military or federal~~
21 ~~jurisdiction, has violated any condition of parole, the board may revoke~~
22 ~~parole and request the sheriff of the county in which the hearing is held~~
23 ~~to transport the parolee to~~ FOR UP TO THE REMAINDER OF THE PAROLE
24 PERIOD AND ORDER THE PAROLEE CONFINED AT a place of confinement
25 designated by the executive director.

26 **SECTION 3.** In Colorado Revised Statutes, 17-1-206.5, **amend**
27 **(2)(c); and repeal (3) as follows:**

1 **17-1-206.5. Preparole release and revocation facility -**
2 **community return-to-custody facility.** (2) The prison described in
3 subsection (1) of this section shall contain at least three hundred beds and
4 incarcerate any of the following:

5 (c) Offenders whose parole has been revoked; except that such
6 incarceration shall be for no more than ~~one hundred eighty~~ NINETY days.

7 (3) ~~In addition to the parole release and revocation facility~~
8 ~~described in subsections (1) and (2) of this section, the department has the~~
9 ~~authority to operate community return-to-custody facilities and provide~~
10 ~~other support and monitoring services as a revocation facility for the~~
11 ~~placement of nonviolent parolees whose parole is revoked pursuant to~~
12 ~~section 17-2-103 (11)(b)(III) under the following conditions:~~

13 (a) ~~The facilities shall be limited to the placement of nonviolent~~
14 ~~parolees whose parole is revoked pursuant to section 17-2-103~~
15 ~~(11)(b)(III);~~

16 (b) ~~The scope of the facilities' programming shall be limited to~~
17 ~~services and monitoring that address the failure of a nonviolent parolee~~
18 ~~whose parole is revoked pursuant to section 17-2-103 (11)(b)(III) and will~~
19 ~~allow for limited performance-based access to the community. A request~~
20 ~~for proposals for such services and monitoring shall be issued by the~~
21 ~~department on or before August 31, 2003, and the contracts awarded by~~
22 ~~November 2003.~~

23 (c) ~~The department may assess and collect fees from parolees~~
24 ~~placed in the facility pursuant to section 17-2-103 (11)(b)(III).~~

25 **SECTION 4.** In Colorado Revised Statutes, 17-2-201, **amend**
26 (4)(f)(I) as follows:

27 **17-2-201. State board of parole - definitions.** (4) The board has

1 the following powers and duties:

2 (f) (I) To conduct ~~a~~ AN INITIAL OR SUBSEQUENT parole release
3 review in lieu of a hearing, without the presence of the inmate, if:

4 (A) The application for release is for special needs parole pursuant
5 to section 17-22.5-403.5, and victim notification is not required pursuant
6 to section 24-4.1-302.5; ~~C.R.S.~~;

7 (B) A detainer from the United States immigration and customs
8 enforcement agency has been filed with the department, the inmate meets
9 the criteria for the presumption of parole in section 17-22.5-404.7, and
10 victim notification is not required pursuant to section 24-4.1-302.5;
11 ~~C.R.S.~~; or

12 (C) The inmate has a statutory discharge date or mandatory
13 release date within six months after his or her next ordinarily scheduled
14 parole hearing and victim notification is not required pursuant to section
15 24-4.1-302.5; ~~C.R.S.~~; OR

16 (D) THE INMATE IS ASSESSED TO BE A "LOW" OR "VERY LOW" RISK
17 ON THE VALIDATED RISK ASSESSMENT INSTRUMENT DEVELOPED PURSUANT
18 TO SECTION 17-22.5-404 (2) AND VICTIM NOTIFICATION IS NOT REQUIRED
19 PURSUANT TO SECTION 24-4.1-302.5.

20 **SECTION 5.** In Colorado Revised Statutes, 17-22.5-403, **amend**
21 (5) introductory portion as follows:

22 **17-22.5-403. Parole eligibility - repeal.** (5) For any offender
23 who is incarcerated for an offense committed prior to July 1, 1993, upon
24 application for parole, the state board of parole, working in conjunction
25 with the department and using the guidelines established pursuant to
26 section 17-22.5-404, shall determine whether or not to grant parole and,
27 if granted, the length of the period of parole. PRIOR TO THE PAROLE

1 RELEASE HEARING, THE DIVISION OF ADULT PAROLE SHALL CONDUCT A
2 PAROLE PLAN INVESTIGATION AND INFORM THE STATE BOARD OF PAROLE
3 OF THE RESULTS OF THE INVESTIGATION. IF THE STATE BOARD OF PAROLE
4 FINDS AN INMATE'S PAROLE PLAN INADEQUATE, IT MAY TABLE THE PAROLE
5 RELEASE DECISION AND REQUIRE THE DEPARTMENT TO SUBMIT A REVISED
6 PAROLE PLAN DEVELOPED IN CONJUNCTION WITH THE INMATE WITHIN
7 THIRTY DAYS AFTER THE PAROLE BOARD'S REQUEST. The state board of
8 parole may set the length of the period of parole for any time period up
9 to the date of final discharge as determined in accordance with section
10 17-22.5-402. If an application for parole is refused by the state board of
11 parole, the state board of parole shall reconsider within one year
12 thereafter whether such inmate should be granted parole. The state board
13 of parole shall continue such reconsideration each year thereafter until
14 such inmate is granted parole or until such inmate is discharged pursuant
15 to law; except that:

16 **SECTION 6.** In Colorado Revised Statutes, **add** 24-32-118 as
17 follows:

18 **24-32-118. Justice reinvestment crime prevention initiative -**
19 **program - rules - reports - repeal.** (1) (a) THE DIVISION OF LOCAL
20 GOVERNMENT SHALL ADMINISTER THE JUSTICE REINVESTMENT CRIME
21 PREVENTION INITIATIVE TO EXPAND SMALL BUSINESS LENDING AND
22 PROVIDE GRANTS AIMED AT REDUCING CRIME AND PROMOTING
23 COMMUNITY DEVELOPMENT IN THE TARGET COMMUNITIES OF NORTH
24 AURORA AND SOUTHEAST COLORADO SPRINGS.

25 (b) SUBJECT TO AVAILABLE APPROPRIATIONS, ON AND AFTER JULY
26 1, 2017, THE DIVISION SHALL DEVELOP AND IMPLEMENT AN INITIATIVE IN
27 ACCORDANCE WITH POLICIES DEVELOPED BY THE EXECUTIVE DIRECTOR

1 SPECIFICALLY DESIGNED TO EXPAND SMALL BUSINESS LENDING IN THE
2 TARGET COMMUNITIES DESCRIBED IN THIS SUBSECTION (1). AN INITIATIVE
3 DEVELOPED AND IMPLEMENTED PURSUANT TO SUBSECTION (1)(a) OF THIS
4 SECTION SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING
5 COMPONENTS:

6 (I) ON OR BEFORE AUGUST 1, 2017, THE DIVISION SHALL ISSUE A
7 REQUEST FOR PARTICIPATION AND SELECT ONE OR MORE NONDEPOSITORY
8 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION LOAN FUNDS TO
9 PARTICIPATE IN THE SMALL BUSINESS LENDING PROGRAM DESCRIBED IN
10 THIS SUBSECTION (1);

11 (II) THE DIVISION SHALL EXECUTE A CONTRACT AND DEVELOP AN
12 OPERATING AGREEMENT WITH EACH PARTICIPATING NONDEPOSITORY
13 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION LOAN FUND THAT
14 PROVIDES COMPREHENSIVE GUIDANCE REGARDING THE PROCEDURES AND
15 PROGRAM REQUIREMENTS AND LENDING STANDARDS TO INCLUDE, BUT
16 NOT BE LIMITED TO, THE FOLLOWING SPECIFICS:

17 (A) ANY SMALL BUSINESS LOAN MUST BE MADE AT A FIXED AND
18 REASONABLE INTEREST RATE, FOR A TERM NOT TO EXCEED SIXTY MONTHS,
19 WITH NO PREPAYMENT PENALTY, AND A MAXIMUM LOAN VALUE OF FIFTY
20 THOUSAND DOLLARS;

21 (B) THE PROCEDURES AND TIMELINES FOR A NONDEPOSITORY
22 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION LOAN FUND TO DRAW
23 DOWN FUNDING AND ANY DEPOSIT ACCOUNT REQUIREMENTS;

24 (C) THE TERMS AND TIMELINE FOR REPAYMENT BY THE
25 NONDEPOSITORY COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION
26 LOAN FUND TO THE DIVISION, INCLUDING A REASONABLE GRACE PERIOD
27 PRIOR TO COMMENCEMENT OF REPAYMENT, AND AUTHORITY FOR THE

1 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION LOAN FUNDS TO
2 RETAIN INTEREST PAID BY THE BORROWER;

3 (D) PERMISSION FOR THE NONDEPOSITORY COMMUNITY
4 DEVELOPMENT FINANCIAL INSTITUTION LOAN FUND TO REQUEST FUNDING,
5 SUBJECT TO LIMITATIONS ESTABLISHED BY THE DIRECTOR, TO PROVIDE OR
6 CONTRACT FOR SERVICES TO INCREASE THE SKILLS OF PROSPECTIVE
7 BORROWERS INCLUDING, BUT NOT LIMITED TO, BUSINESS AND FINANCIAL
8 EDUCATION, MENTORSHIP, OR COMMUNITY OUTREACH FOR MARKETING
9 PURPOSES; AND

10 (E) DATA COLLECTION REQUIREMENTS AND PERFORMANCE AND
11 OUTCOME METRICS THAT INCLUDE, BUT ARE NOT LIMITED TO, THE
12 NUMBER OF LOANS MADE AND CAPITAL DISBURSED AND LOAN DETAILS
13 INCLUDING AMOUNT, RATE AND TERM, NATURE OF BUSINESS AND NUMBER
14 OF JOBS CREATED, REPAYMENT COLLECTED, AND DELINQUENCY OR AGING
15 REPORT;

16 (III) THE DIVISION MAY RETAIN UP TO FIFTEEN PERCENT OF
17 FUNDING RECEIVED FOR SMALL BUSINESS LENDING IN A LOAN LOSS
18 RESERVE FUND IF IT BELIEVES THAT SUCH RESERVE FUND WOULD
19 INCENTIVIZE ADDITIONAL LENDERS TO EXPAND SMALL BUSINESS LENDING
20 IN THE TWO TARGET COMMUNITIES; AND

21 (IV) ANY UNEXPENDED FUNDS ARE NOT SUBJECT TO REVERSION TO
22 THE STATE AND MAY BE ALLOCATED IN THE SUBSEQUENT FISCAL YEAR.

23 (2) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, ON AND AFTER
24 JULY 1, 2017, THE DIVISION SHALL DEVELOP AND IMPLEMENT A GRANT
25 PROGRAM TO PROVIDE FUNDING TO ELIGIBLE ENTITIES FOR PROGRAMS,
26 PROJECTS, OR DIRECT SERVICES AIMED AT REDUCING CRIME IN THE TARGET
27 COMMUNITIES DESCRIBED IN SUBSECTION (1) OF THIS SECTION. THE

1 DIVISION SHALL ADMINISTER THE GRANT PROGRAM IN ACCORDANCE WITH
2 POLICIES DEVELOPED BY THE EXECUTIVE DIRECTOR THAT INCLUDE, BUT
3 ARE NOT LIMITED TO, THE SPECIFICS IN SUBSECTION (2)(b) OF THIS
4 SECTION.

5 (b) ON OR BEFORE AUGUST 1, 2017, THE EXECUTIVE DIRECTOR
6 SHALL ISSUE A REQUEST FOR PARTICIPATION AND SELECT A COMMUNITY
7 FOUNDATION OR FOUNDATIONS TO MANAGE THE GRANT PROGRAM. TO BE
8 ELIGIBLE, THE COMMUNITY FOUNDATION MUST BE REGISTERED IN THE
9 STATE OF COLORADO AND HAVE A HISTORY OF GRANT-MAKING IN THE
10 TARGET COMMUNITY IN AREAS CONSISTENT WITH THE PERMISSIBLE USES
11 OF FUNDING DESCRIBED IN SUBSECTION (2)(e) OF THIS SECTION. THE
12 DIVISION MAY SELECT ONE COMMUNITY FOUNDATION TO SERVE BOTH
13 TARGET COMMUNITIES OR MAY SELECT ONE COMMUNITY FOUNDATION FOR
14 EACH TARGET COMMUNITY.

15 (c) THE DIVISION SHALL EXECUTE A WRITTEN AGREEMENT WITH
16 THE SELECTED COMMUNITY FOUNDATION OR COMMUNITY FOUNDATIONS
17 THAT OUTLINES THE ROLES AND RESPONSIBILITIES OF THE COMMUNITY
18 FOUNDATION. THE ROLES AND RESPONSIBILITIES MUST INCLUDE:

19 (I) DEVELOPING A NOMINATION PROCESS AND GOVERNANCE
20 POLICY FOR THE LOCAL CRIME PREVENTION PLANNING TEAM, SUBJECT TO
21 APPROVAL BY THE APPROPRIATE CITY COUNCIL. THE COMMUNITY
22 FOUNDATION SHALL ENSURE THAT THE PROPOSED LOCAL PLANNING TEAM
23 MEMBERS REPRESENT A DIVERSE CROSS-SECTION WITH EXPERTISE IN
24 AREAS LIKE EDUCATION, BUSINESS, YOUTH, FAMILIES, NONPROFIT DIRECT
25 SERVICE, LAW ENFORCEMENT, LOCAL GOVERNMENT, COMMUNITY, AND
26 RESIDENTS OF THE TARGET COMMUNITIES, INCLUDING THOSE THAT HAVE
27 BEEN DIRECTLY IMPACTED BY CRIME AND INVOLVEMENT IN THE CRIMINAL

1 JUSTICE SYSTEM.

2 (II) PROVIDING FACILITATION TO THE LOCAL CRIME PREVENTION
3 PLANNING TEAM IN BOTH AURORA AND COLORADO SPRINGS;

4 (III) DEVELOPING THE GRANT GUIDELINES, APPLICATION AND
5 REVIEW PROCESS, DATA COLLECTION, AND REPORTING REQUIREMENTS FOR
6 GRANTEES;

7 (IV) REVIEWING PROPOSALS SUBMITTED BY THE LOCAL PLANNING
8 TEAM AND MAKING GRANT AWARDS SUBJECT TO APPROVAL BY THE
9 DIVISION AND CONSISTENT WITH THE PERMISSIBLE USES DESCRIBED IN
10 SUBSECTION (2)(e) OF THIS SECTION;

11 (V) CONTRACTING WITH A THIRD-PARTY EVALUATOR TO ASSIST
12 EACH LOCAL PLANNING TEAM TO ESTABLISH BEST PRACTICES WITH
13 REGARD TO DATA COLLECTION AND IDENTIFYING APPROPRIATE
14 PERFORMANCE AND OUTCOME MEASURES THAT MEASURE OUTCOME AND
15 IMPACT OF ANY FUNDED CRIME PREVENTION PROJECTS, PROGRAMS, OR
16 INITIATIVES.

17 (d) THE DIVISION SHALL DEVELOP THE PROCEDURES AND
18 TIMELINES BY WHICH THE SELECTED COMMUNITY FOUNDATION OR
19 COMMUNITY FOUNDATIONS WILL BE PROVIDED FUNDING FROM THE
20 DIVISION FOR DISBURSEMENT FOR THE GRANT PROGRAM.

21 (e) THE PERMISSIBLE USES OF ANY FUNDING PROVIDED TO THE
22 COMMUNITY FOUNDATION SHALL INCLUDE PROGRAMS, PROJECTS, OR
23 INITIATIVES THAT ARE AIMED AT:

24 (I) IMPROVING ACADEMIC ACHIEVEMENT INCLUDING, BUT NOT
25 LIMITED TO, SCHOOL READINESS, REDUCING EXPULSIONS AND
26 SUSPENSIONS IN SCHOOLS, INCREASING HIGH SCHOOL GRADUATION,
27 COLLEGE ENROLLMENT AND RETENTION RATES, AND PROMOTING

1 SCHOOL-PARENT-STUDENT ENGAGEMENT;

2 (II) PROVIDING COMMUNITY-BASED SERVICES TO STRENGTHEN
3 FAMILIES, PROMOTE RECOVERY FROM TRAUMA, PROVIDE SUPPORT TO
4 CRIME SURVIVORS, INCREASE EMPLOYMENT, AND REDUCE RECIDIVISM, OR
5 OTHER SIMILAR COMMUNITY DIRECT SERVICE NEEDS IDENTIFIED BY THE
6 LOCAL PLANNING TEAM;

7 (III) FACILITATING NEIGHBORHOOD CONNECTIONS, COMMUNITY
8 ENGAGEMENT, AND LOCAL LEADERSHIP DEVELOPMENT;

9 (IV) INCREASING THE SAFETY AND USABILITY OF COMMON
10 OUTDOOR SPACES; AND

11 (V) DEVELOPING TECHNICAL ASSISTANCE RELATED TO DATA
12 COLLECTION, DATA ANALYSIS, AND EVALUATION.

13 (f) THE DIVISION SHALL TRANSFER TO THE COMMUNITY
14 FOUNDATION WITHIN THIRTY DAYS AFTER EXECUTION OF THE AGREEMENT
15 DESCRIBED IN SUBSECTION (2)(c) OF THIS SECTION THE ADMINISTRATIVE
16 COSTS OF THE COMMUNITY FOUNDATION RELATED TO THE PERFORMANCE
17 OF THE ROLES AND RESPONSIBILITIES FOR MANAGING THE GRANT
18 PROGRAM, WHICH COSTS MUST NOT EXCEED FOUR PERCENT OF THE
19 APPROPRIATION.

20 (g) TO BE ELIGIBLE TO RECEIVE GRANT FUNDING AN ENTITY MUST
21 BE A NONPROFIT ORGANIZATION IN GOOD STANDING AND REGISTERED
22 WITH THE INTERNAL REVENUE SERVICE AND THE COLORADO SECRETARY
23 OF STATE'S OFFICE, A SCHOOL, A UNIT OF LOCAL GOVERNMENT, OR A
24 PRIVATE CONTRACTOR HIRED TO PROVIDE TECHNICAL ASSISTANCE TO THE
25 LOCAL PLANNING TEAMS.

26 (h) ANY UNEXPENDED FUNDS ARE NOT SUBJECT TO REVERSION TO
27 THE STATE AND MAY BE ALLOCATED IN THE SUBSEQUENT FISCAL YEAR.

1 (3) SUBSECTION (2) OF THIS SECTION AND THIS SUBSECTION (3)
2 ARE REPEALED, EFFECTIVE SEPTEMBER 1, 2020. BEFORE SUCH REPEAL,
3 THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE JUSTICE
4 REINVESTMENT CRIME PREVENTION INITIATIVE PURSUANT TO SECTION
5 24-34-104.

6 (4) ON AND AFTER DECEMBER 1, 2017, DURING ITS ANNUAL
7 PRESENTATION BEFORE THE JOINT JUDICIARY COMMITTEE OF THE GENERAL
8 ASSEMBLY, OR ANY SUCCESSOR JOINT COMMITTEE, PURSUANT TO SECTION
9 2-7-203, THE DIVISION SHALL INCLUDE A STATUS REPORT REGARDING THE
10 PROGRESS AND OUTCOMES OF THE INITIATIVES DEVELOPED AND
11 IMPLEMENTED BY THE DIVISION PURSUANT TO THIS SECTION DURING THE
12 PRECEDING YEAR.

13 **SECTION 7.** In Colorado Revised Statutes, 24-34-104, **add**
14 (19)(a)(XII) as follows:

15 **24-34-104. General assembly review of regulatory agencies**
16 **and functions for repeal, continuation, or reestablishment - legislative**
17 **declaration - repeal.** (19) (a) The following agencies, functions, or both,
18 ~~will~~ ARE SCHEDULED FOR repeal on September 1, 2020:

19 (XII) THE JUSTICE REINVESTMENT CRIME PREVENTION INITIATIVE
20 CREATED IN SECTION 24-32-118.

21 **SECTION 8. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.